

**Introduced by Senator Ducheny**

February 25, 2009

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An act to amend Section 17072.10 of the Education Code, relating to school facilities.

**LEGISLATIVE COUNSEL'S DIGEST**

SB 334, as introduced, Ducheny. School facilities: new construction grant eligibility: special education pupils.

The Leroy F. Greene School Facilities Act of 1998 requires the State Allocation Board to allocate to applicant school districts, prescribed per-unhoused-pupil state funding for construction and modernization of school facilities, including hardship funding, and supplemental funding for site development and acquisition.

The act requires the board to determine maximum total new construction grant eligibility of an applicant under a specified calculation that includes certain per-unhoused-pupil grant amounts, and authorizes the board to adjust the per-unhoused-pupil grant amounts by regulation for qualifying individuals with exceptional needs.

This bill would require an increase made to the per-unhoused-pupil grant amounts also to be made to the per-unhoused-pupil who is a qualifying individual with exceptional needs amounts.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 17072.10 of the Education Code is  
2     amended to read:

1 17072.10. (a) The board shall determine the ~~applicant's~~  
2 maximum total new construction grant eligibility *of an applicant*  
3 by multiplying the number of unhoused pupils calculated pursuant  
4 to Article 3 (commencing with Section 17071.75) in each school  
5 district with an approved application for new construction, by the  
6 per-unhoused-pupil grant as follows:

7 (1) Five thousand two hundred dollars (\$5,200) for elementary  
8 school pupils.

9 (2) Five thousand five hundred dollars (\$5,500) for middle  
10 school pupils.

11 (3) Seven thousand two hundred dollars (\$7,200) for high school  
12 pupils.

13 (b) The board ~~shall~~ annually *shall* adjust the per-unhoused-pupil  
14 apportionment to reflect construction cost changes, as set forth in  
15 the statewide cost index for class B construction as determined by  
16 the board.

17 (c) ~~Any regulations~~ *Regulations* adopted by the board prior to  
18 July 1, 2000, that adjust the amounts identified in this section for  
19 qualifying individuals with exceptional needs, as defined in Section  
20 56026, as amended after July 1, 2000, in consideration of the  
21 recommendations provided pursuant to Section 17072.15, shall  
22 continue in effect. *An increase made to the per-unhoused-pupil*  
23 *grant amounts set forth in subdivision (a), including, but not limited*  
24 *to, those made pursuant to Section 17072.11, also shall be made*  
25 *to the per-unhoused-pupil who is a qualifying individual with*  
26 *exceptional needs amounts established pursuant to this subdivision.*

27 (d) The board may establish a single supplemental  
28 per-unhoused-pupil grant in addition to the amounts specified in  
29 subdivision (a) based on the statewide average marginal difference  
30 in costs in instances where a project requires multilevel school  
31 facilities due to limited acreage. ~~The district's~~ *application of a*  
32 *school district* shall demonstrate that a practical alternative site is  
33 not available.

34 (e) For a school district having an enrollment of 2,500 or less  
35 for the prior fiscal year, the board may approve a supplemental  
36 apportionment of up to seven thousand five hundred dollars  
37 (\$7,500) for any new construction project assistance. The amount  
38 of the supplemental apportionment authorized pursuant to this  
39 subdivision shall be adjusted in 2008 and every year thereafter by

- 1 an amount equal to the percentage adjustment for class B
- 2 construction.
- 3 ~~(f) This section is operative January 1, 2008.~~

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